

United States District Court

DISTRICT OF DELAWARE

UNITED STATES OF AMERICA

Criminal Complaint

v.

PEDRO ALTATENCO-LUNA

CASE NUMBER: 08-

46M

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about February 22, 2008 in New Castle County, in the District of Delaware defendant did knowingly:

- (1) possess documents prescribed by statute or regulation for the entry into or as evidence of authorized stay or employment in the United States, knowing that such documents were produced without lawful authority, in violation of Title 18, United States Code, sections 1546(a);
- (2) possess false identification documents, knowing that such documents were produced without lawful authority, with the intent to defraud the United States, in violation of Title 18, United States Code, sections 1028(a)(4) and 1028(b);
- (3) possess a document-making implement knowing that it would be used in the production of a false identification document, in violation of Title 18, United States Code, sections 1028(a)(5) and 1028(b).

I further state that I am a(n) Special Agent, ICE
Official Title
on the following facts:

See attached Affidavit

Continued on the attached sheet and made a part hereof: Yes

FILED
FEB 25 2008
U.S. DISTRICT COURT DISTRICT OF DELAWARE

Sworn to before me and subscribed in my presence,

February 25, 2008

at

Wilmington, DE

City and State

Honorable Mary Pat Thynge
United States Magistrate Judge
Name & Title of Judicial Officer

Mary Pat Thynge
Signature of Judicial Officer

UNITED STATES v. Pedro ALTATENCO-LUNA

AFFIDAVIT

Your affiant is a Special Agent of the United States Immigration and Customs Enforcement (ICE) at Philadelphia, Pennsylvania and has been so employed for approximately twenty (20) years. Being duly sworn, your affiant deposes and says as follows:

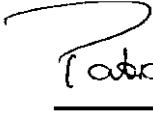
1. On February 22, 2008, a Federal Express package from Phoenix, Arizona was intercepted by the Delaware State Police, Special Investigations Unit, during parcel inspections at the Federal Express Facility in New Castle, Delaware. The package was addressed to Oscar SANCHEZ, , New Castle, Delaware from Juan Marin T., Phoenix, Arizona. This package was suspected as being a possible parcel containing narcotics based on several characteristics. This included the fact that the package was a pre-paid box and that the recipient in New Castle, Delaware (Oscar SANCHEZ) listed a contact number with a Phoenix area code. Based on the suspicious nature of the package and the potential that the parcel contained narcotics, it was opened by Federal Express officials. The package was found to contain approximately 401 fraudulent document laminates including approximately 199 I-551 Resident Alien card laminates and 198 Mexican drivers' license laminates.

2. On February 22, 2008, your affiant, in conjunction with the Delaware State Police-Special Investigations Unit, conducted a "knock and talk" at the address located at [REDACTED], New Castle, Delaware. At this time, Pedro ALTATENCO-LUNA, a native and citizen of Mexico, was encountered leaving in a 2000 Nissan Altima. ALTATENCO-LUNA was questioned as to his alienage, citizenship and right to be in the United States. ALTATENCO-LUNA admitted to being a native and citizen of Mexico and residing at [REDACTED], New Castle, Delaware. ALTATENCO-LUNA further admitted to entering the United States illegally on or about June of 2001 at Calexico, California.

3. ALTATENCO-LUNA waived his Miranda rights and agreed to speak to your affiant without the presence of an attorney. ALTATENCO-LUNA also provided a written Consent to Search his residence and vehicle. ALTATENCO-LUNA stated that he was involved in the sale and manufacture of fraudulent documents, including Resident Alien cards, Social Security cards, driver's licenses, and Mexican Identification cards. These documents were sold for prices ranging from \$20.00 to \$50.00 and were manufactured via a computer in his bedroom. This computer was purchased by ALTATENCO-LUNA for \$500.00 with the programs to print and manufacture the documents. ALTATENCO-LUNA further admitted to using the name Oscar SANCHEZ and wiring \$400.00 the previous week to contacts in Arizona for the laminate needed to complete the documents contained in the seized Federal Express package.

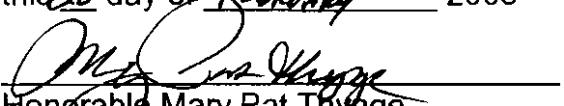
4. A search of the residence located at _____, New Castle, Delaware resulted in the location of approximately 500 pieces of blank plastic laminate, forty-two (42) completed and blank social security cards, three (3) completed Resident Alien cards, numerous completed Ohio and Pennsylvania driver's licenses, and Mexican identification cards. Numerous polaroid photographs, pieces of paper with biographic information for individuals having documents made, and ledgers for completed documents were found. The search also revealed a computer, scanner, laminator, and camera used to manufacture the documents.

Your affiant avers that there is probable cause to believe that on or about February 22, 2008, in Wilmington, Delaware, in the District of Delaware, that Pedro ALTATENCO-LUNA, a native and subject of Mexico, did knowingly: (1) possess documents prescribed by statute or regulation for the entry into or as evidence of authorized stay or employment in the United States, knowing that such documents were produced without lawful authority, in violation of Title 18, United States Code, sections 1546(a); (2) possess false identification documents, knowing that such documents were produced without lawful authority, with the intent to defraud the United States, in violation of Title 18, United States Code, sections 1028(a)(4) and 1028(b); (3) possess a document-making implement knowing that it would be used in the production of a false identification document, in violation of Title 18, United States Code, sections 1028(a)(5) and 1028(b).


Patrick M. McCall

PATRICK M. MCCALL
Special Agent
U.S. Immigration and Customs Enforcement (ICE)

Sworn to and subscribed in my presence
this 25 day of February 2008


Honorable Mary Pat Thyng
United States Magistrate Judge
District of Delaware